

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

Brian Musgrave,)	Civil Action No.: 2:25-cv-01823-RMG
)	
Plaintiff,)	
)	
v.)	
)	
)	
Nancy Mace and Jane/John Does 1-5,)	
)	
Defendants.)	
_____)	

DEFENDANT NANCY MACE'S ANSWERS TO STANDARD INTERROGATORIES
PURSUANT TO LOCAL CIVIL RULE 26.01 (D.S.C.)

Defendant Nancy Mace respectfully submits the following answers to the Court's standard interrogatories under Local Civil Rule 26.01 (D.S.C.):

- (A) **State the full name, address, and telephone number of all persons or legal entities who may have a subrogation interest in each claim and state the basis and extent of that interest.**

ANSWER: None known of at this time.

- (B) **As to each claim, state whether it should be tried jury or nonjury and why.**

ANSWER: While a jury trial is available in a *Bivens* lawsuit, there is no right to a trial by jury permitted under the Federal Tort Claims Act in a lawsuit against the United States, pursuant to 28 U.S.C. § 2402.

- (C) **State whether the party submitting these responses is a publicly-owned company and separately identify (1) any parent corporation and any publicly-held corporation owning ten percent (10%) or more of the party's stock; (2) each publicly-owned company of which it is a parent; and (3) each publicly-owned company in which the party owns ten percent (10%) or more of the outstanding shares.**

ANSWER: No, Defendant Mace is not a publicly-owned company.

- (D) **State the basis for asserting the claim in the division in which it was filed (or the basis of any challenge to the appropriateness of the division). See Local Civ. Rule 3.01 (D.S.C.).**

ANSWER: Defendant Mace is a resident of Charleston County. Pursuant to 28 U.S.C. § 121(1), the Charleston Division is the proper division.

- (E) **Is this action related in whole or in part to any other matter filed in this district, whether civil or criminal? If so, provide (1) a short caption and the full case number of the related action; (2) an explanation of how the matters are related; and (3) a statement of the status of the related action. Counsel should disclose any cases that *may be* related regardless of whether they are still pending. Whether cases *are* related such that they should be assigned to a single judge will be determined by the clerk of court based on a determination of whether the cases arise from the same or identical transactions, happenings, or events; involve the identical parties or property; or for any other reason would entail substantial duplication of labor if heard by different judges.**

ANSWER: No, this action is not related to any other matter filed in the United States District Court for the District of South Carolina.

- (F) **[Defendants only.] If the defendant is improperly identified, give the proper identification and state whether counsel will accept service of an amended summons and pleading reflecting the correct identification.**

ANSWER: Defendants are not properly identified. The United States is the proper defendant on the majority of Plaintiff Brian Musgrave's claims and should be substituted for Defendants Nancy Mace and Jane/John Does 1-5 on the causes of action for libel *per se*, defamation *per se*, and conspiracy. See ECF No. 20, First Amended Complaint ("Am. Compl.") ¶¶ 125-192 (Causes of Action 1-11); ¶¶ 201-210 (Causes of Action 13-14). Undersigned counsel will accept service of an amended summons and complaint reflecting the correct identification of the parties. The United States, on this same date, is moving to substitute itself as the defendant on the above thirteen causes of action, and the United States is moving to dismiss those claims, as well as the cause of action for permanent injunctive relief. See *id.* at ¶¶ 211-217 (Cause of Action 15). Defendant Nancy Mace, on this same date, is moving to dismiss the remaining cause of action. See *id.* at ¶¶ 193-200 (Cause of Action 12).

- (G) **[Defendants only.] If you contend that some other person or legal entity is, in whole or in part, liable to you or the party asserting a claim against you in this matter, identify such person or entity and describe the basis of their liability.**

ANSWER: None known of at this time.

- (H) **[Parties or Intervenorors in a Diversity Case.] In an action in which jurisdiction is based on diversity under 28 U.S.C. § 1332(a), a party or intervenor must, unless the court orders otherwise, name--and identify the citizenship of--every individual or entity**

whose citizenship is attributed to that party or intervenor. This response must be supplemented when any later event occurs that could affect the court's jurisdiction under § 1332(a).

ANSWER: Not applicable.

Respectfully submitted,

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